SCHEDULE OF EXHIBITS

Exhibit A – 129 Parker Street Property Description

Exhibit B – Owner's Authorization to Developer

Exhibit C - Concept Plan

Exhibit D - NBOD Zoning Amendments

Exhibit E – PK2 Improvements

Exhibit F - Recreation Land to Town on Fee or Easement

Exhibit G – Recordable Form of Development Agreement

Exhibit H- Traffic Studies for Site Plan Review or Special Permit Process

EXHIBIT A

DESCRIPTION OF THE PREMISES

Address: 129 Parker Street, Maynard, Middlesex County, Commonwealth of Massachusetts containing approximately 58.3 +/ acres.

Legal Description:

A certain parcel of land situated in Maynard, Middlesex County, Mas acrossetts, shown as Lot 68 on Land Court Plan No. 8795-N. The boundaries of said Lot 68 are etermined by the Court to be located as shown on a Subdivision Plan, as approved by the John Ned in the Land Registration Office, a copy of which is filed with Registry of Seed for South Registry District of Middlesex County as noted in Registration Book 1223 ange 122, with stificate 218672.

Also another certain parcel of land situated in said Naynard, show as Lot 62 on and Court Plan No 8795-K. The boundaries of said Lot 62 are detented by the Court to be located as shown on a Subdivision Plan, as approved by the Court, filed to be Located as shown which is filed with Registry of Deed for the South Registry. Strict of Middlesex County in Registration Book 758, Page 131, with Certificate 125681.

EXHIBIT B

Exhibit "B"

To: All interested Boards, Committees, Commissions, Town Meetings, Officials and Departments in the Town of Maynard, MA

Re: 58.30 acres of land with the buildings thereon at 129 Parker Street, Maynard, MA (the "Property") owned by the undersigned

Date: February 12, 2013

The undersigned, being the sole owner of the Property, hereby join in any application to or process with any Maynard, Massachusetts committees, commissions, town meetings, officials or departments filed by Capital Group Properties, LLC, a Delaware limited liability company, with a principal place of business at 259 Tumpike Road, Suite 100, Southborough, MA 01772 and expressly permit said LLC to file such applications or process in our name to construct a residential/retail community on our Property.

Owner: LSREF2 CLOVER REO 2, LLC,

a Delaware limited liability company

Printed Name: Assistant Vice Provide

Its: Vice President and Authorized Signatory

EXHIBIT C

EXHIBIT D



COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

SPECIAL TOWN MEETING

To the Constable of the Town of Maynard, in said County,

GREETINGS:

In the name of the Commonwealth of Massachusetts, you are hereby directed to notify and warn the voters of said Maynard, to assemble IN FOWLER SCHOOL AUDITORIUM, THREE TIGER DRIVE IN SAID town, on Sunday, May 19, 2013 at 1:00 P.M. then and there to act on the following articles:

SPECIAL NOTICE TO VOTERS

On Monday, May 13, 2013 at 7:00 P.M., a public hearing will be held at the Maynard Town Hall, Michael J. Gianotis Room, Room 201, to discuss with any citizen who desires further information, as to the recommended budget, and any special Articles in the Warrant to which the Finance Committee has made a recommendation. Explanation and discussion concerning these matters may be helpful in the interest of saving time at the Special Town Meeting. Your participation is welcome.

		•	

ADA ADVISORY

Anyone in need of special arrangements for the Town Meeting, such as wheelchair arrangements or signing for the hearing impaired, please contact the Office of the Selectmen at (978) 897-1301 by May 6, 2013 in order for reasonable accommodations to be made.

PROCEDURES AT TOWN MEETING

Order of Articles: Articles are voted on in the order they are presented unless Town Meeting votes to do otherwise.

Secret Ballot Votes: The Moderator determines whether or not an article requires a secret ballot-according-to-Town-By-laws.—If the Moderator-determines that an Open-Vote applies to an article, at least 25 voters may request that a secret ballot vote be taken. The request for a secret ballot vote must be made prior to the open vote being taken.

Amending an Article at Town Meeting: Any time after a main motion has been made and seconded, but before being voted on, it is possible to amend the main motion:

- 1. Ask the Moderator for recognition.
- 2. Present a motion to amend verbally and submit a copy of the motion in writing to the Moderator. The motion to amend must include your name as sponsor, any change in appropriation and its source.
- 3. The motion to amend must be seconded.
- 4. The motion to amend must be voted on by Town Meeting separately from the main motion.
- 5. The motion to amend must pass by a simple majority vote.
- 6. More than one motion to amend can be made to the main motion, but must be presented and voted on one at a time. A motion to amend must be made before the main motion is voted on.
- 7. After all motions to amend are voted, the main motion, (or as amended), must be voted on.

Reconsider an Article: An article may be reconsidered, that is revoted, only within thirty (30) minutes of the time that the main article (motion) was voted on. An article can only be reconsidered once. To reconsider:

- 1. Ask the Moderator for recognition.
- 2. Ask for reconsideration within the thirty (30) minute time limit. The Moderator can now finish present business, which may go on beyond thirty (30) minute limit. However, The Moderator shall take up the reconsideration as the next order of business.
- 3. At the proper time, present your motion for reconsideration and state your name.
- 4. At the Moderator's option, he can move the motion without further discussion.

NECESSARY MAJORITIES*

9/10 majority is required for unpaid bills of prior fiscal years (Special Town Meeting) that had no appropriation.

4/5 majority is required for unpaid bills of prior fiscal years, (Annual Town Meeting).

2/3 majority is required for all borrowing, land acquisitions or transfers and zoning by-laws.

Simple majority is required for all else, such as: regular By-laws, current appropriations and transfers, unpaid bills of prior years that have money appropriated but arrived too late to be included.

NOTE:

Yes and No votes will only be considered in the calculation of percentages. To figure the percentage, divide-the-Yes-votes-by-the-total-Yes-and-No-votes.

Example: 100 Yes, 50 No, and 20 Blanks shall be interpreted as:

*Please note these vote quantum's are for example only and there may be other types of votes, which fall under each of the categories listed above.

Article #	<u>Title</u>	<u>Department</u>	Appropriation
1	ZONING BY- LAWS WITH REGARD TO THE NEIGHBORHOOD BUSINESS OVERLAY DISTRICT (NBOD, SECTION 9.3) AS FOLLOWS:	Acting Town Administrator	None
2	APPROVAL OF 129 PARKER STREET CONCEPT PLAN	Acting Town Administrator	None

ARTICLE 1: TO SEE IF THE TOWN WILL VOTE TO AMEND THE PROTECTIVE ZONING BY-LAWS WITH REGARD TO THE NEIGHBORHOOD BUSINESS OVERLAY DISTRICT (NBOD, SECTION 9.3) AS FOLLOWS:

Item 1. Amend Section 9.3.2 entitled "Applicability," which presently reads:

9.3.2 Applicability. The NBOD is an overlay district superimposed over, rather than replacing, the applicable underlying zoning districts. NBOD authorizes certain uses not allowed in the underlying base district provided certain special terms and conditions are met regarding the establishment of such uses. Where the NBOD authorizes uses not otherwise allowed in the underlying district, the provisions of the NBOD shall control. Except as provided in this Section 9.3, the NBOD does not in any manner alter or remove the zoning rights permits in the underlying base zoning district(s). Nothing contained in this section 9.3 shall prohibit or limit uses otherwise permitted by right or by Special Permit in the base zoning district(s).

To read instead:

9.3.2 Applicability. The NBOD is an overlay district superimposed over, rather than replacing, the applicable underlying zoning districts. The NBOD authorizes certain uses not allowed in the underlying base district provided certain special terms and conditions are met regarding the establishment of such uses. Where the NBOD authorizes uses not otherwise allowed in the underlying district, the provisions of the NBOD shall control. Except as provided in this Section 9.3, the NBOD does not in any manner alter or remove the zoning rights permits in the underlying base zoning district(s). Nothing contained in this section 9.3 shall prohibit or limit uses otherwise permitted by right or by Special Permit in the base zoning district(s). Where any provision in the NBOD is silent the applicable provision of the Protective Zoning By-Laws shall control. Where any provision of the NBOD is not silent, the provision of the NBOD shall control.

Item 2. Amend Section 9.3.3 entitled "Requirement for Approval of a Concept Plan at Town Meeting," which presently reads:

- 9.3.3 Requirement for Approval of a Concept Plan at Town Meeting. No development for uses not otherwise allowed in the underlying zoning district shall be permitted on any land within the NBOD without first obtaining approval, by a majority vote at Town Meeting, of a Concept Plan that identifies the proposed development. At the property owner's discretion, one or more Concept Plans may be submitted at different times and a Concept Plan may include development of all, or any smaller portion, of the relevant parcel or lot. Each Concept Plan submitted for approval at Town Meeting shall include the following information:
 - 1. The area of land proposed to be developed under the NBOD regulations, which may be less than the total area of the applicable lot.
 - 2. The topography of the land to be developed.

- 3. The location of wetlands and water bodies, if any.
- 4. The location of existing roads and ways serving the land to be developed.
- 5. The general location, size and shape of existing structures to be removed, and the general location, size and shape of existing structures to remain.
- 6. The general location and size of all required buffer areas provided in compliance with Section 6.1.
- 7. The general location and approximate size of all proposed new buildings, including the approximate size of each single principle use within said buildings; the final size of each single principle use to be determined via the Town's site plan review process and shall not exceed the dimensional requirements in Table G.
- 8. Examples of amenities and design features to be included as part of the proposed development.
- 9. Illustrations of the general architecture of the proposed structures.
- 10. A preliminary traffic impact analysis.
- 11. A written proposal from the Property Owner ("Developer") that addresses, but is not limited to, the following:
 - a. Any proposed exactions, financial gifts, easements or land gifts
 - b. Payment for consultant review of plans and documents accompanying the Concept Plan
 - The timing of assessment of new improvements
 - d. The Developer's payment for design and implementation of traffic
 - e. Transfer of responsibilities and commitments in the event the property is sold

Such proposal shall be incorporate into the terms of a development agreement, which may include other provisions between the Developer and the Town of Maynard acting by and through the Board of Selectmen and the Planning Board before final site plan approval is granted by the Planning Board.

To read instead:

9.3.3 Requirement for Approval of a Concept Plan at Town Meeting. No development for uses not otherwise allowed in the underlying zoning district shall be permitted on any land within the NBOD without first obtaining approval, by a majority vote at Town

Meeting, of a Concept Plan that identifies the proposed development. A Concept Plan shall be defined as a plan of the proposed development which is preliminary and conceptual in nature and which shall include the general use and approximate size and location of the buildings, project layout, proposed roads, parking, and all items as set forth in subparagraphs 1-10 below along with all other amenities, to the best of the property owner's knowledge as of the date of the Concept Plan. At the property owner's discretion, one or more Concept Plans may be submitted at different times and a Concept Plan may include development of all, or any smaller portion, of the relevant parcel or lot. Each Concept Plan submitted for approval at Town Meeting shall include the following information:

- 1. The area of land proposed to be developed under the NBOD regulations, which may be less than the total area of the applicable lot.
- 2. The topography of the land to be developed.
- 3. The location of wetlands and water bodies, if any.
- 4. The location of existing roads and ways serving the land to be developed.
- 5. The general location, size and shape of existing structures to be removed, and the general location, size and shape of existing structures to remain.
- 6. The general location and size of all required buffer areas provided in compliance with Section 9.3.11.3.
- 7. The general location and approximate size of all proposed new buildings, the final <u>location and size of each building</u> to be determined via the Town's site plan review process and shall not exceed the dimensional requirements in Table G.
- 8. Examples of amenities and design features to be included as part of the proposed development.
- 9. Illustrations of the general architecture of the proposed structures.
- 10. A preliminary traffic impact analysis.
- 11. Prior to the vote at Town Meeting on the Concept Plan, a Development

 Agreement shall be signed by the Board of Selectmen, Planning Board and the
 Property Owner ("Developer") that addresses, but is not limited to, the following:
 - a. Any proposed exactions, financial gifts, easements or land gifts
 - b. Payment for consultant review of plans and documents accompanying Concept Plan
 - c. The timing of assessment of new improvements

- d. The Developer's payment for design and implementation of traffic
- e. Transfer of responsibilities and commitments in the event the property is sold

Item 3. Amend Section 9.3.5 entitled "Permitted Principal Uses," which presently reads:

9.3.5 Permitted Principal Uses. The following uses are allowed by right in the Neighborhood Business Overlay District:

Healthcare Facility

Health Club

Restaurant

Garden Center

Personal Service Establishment

Supermarket

Retail Business

Wholesale Business

Mixed Use with fewer than five (5) dwelling units

Multiple principal uses on a single lot or parcel within the NBOD

To read instead:

9.3.5.1 Permitted Principal Uses. The following uses are allowed by right in the Neighborhood Business Overlay District:

Healthcare Facility, including Clinic and Medical, Dental and Psychiatric Office

Health Club

Restaurant*

Garden Center

General or Personal Service Establishment and Business or Professional or Other

Office

Supermarket

Retail Business

Wholesale Business

Mixed Use with fewer than five (5) dwelling units

Multiple principal uses on a single lot or parcel within the NBOD

Printing Shop

Emerging Energy Technology Establishment

Child Care Center

Adult Day Care

*There shall be no more than three (3) Restaurants allowed by right.

Item 4. Add a new Section 9.3.5.2 entitled "Prohibited Uses" after Section 9.3.5.1, to read as follows:

9.3.5.2 Prohibited Uses. In addition to any use which is not specifically permitted in this Section 9.3 and which is otherwise prohibited in the underlying district, any Medical Marijuana Dispensary and/or growing facility shall be prohibited in the NBOD.

Item 5. Amend Section 9.3.7 entitled "Uses Permitted by Special Permit of the Planning Board," which presently reads:

9.3.7. Uses Permitted by Special Permit of the Planning Board. The following uses are allowed by Special Permit in the Neighborhood Business Overlay District:

Multi-family Dwelling
Parking Structures
Mixed-use-with-five-(5)-or-more-dwelling-units

To read instead:

9.3.7. Uses Permitted by Special Permit of the Planning Board. The following uses are allowed by Special Permit in the Neighborhood Business Overlay District:

Elderly Housing and Assisted Living Residence

Parking Structures

Mixed use with five (5) or more dwelling units

Motor Vehicle Light Service

Brewery with Ancillary Food Service

Fast Food Restaurant

Multi Family Dwelling

Restaurant (the fourth (4th) or more)

Item 6. Amend Section 9.3.8 entitled "Dimensional Requirement," which presently reads:

9.3.8 Dimensional Requirements. Table G lists the dimensional requirements for each single principal use within the NBOD. Uses listed in Table G as "N/A" have no corresponding dimensional requirement.

TABLE G: NBOD DIMENSIONAL REQUIREMENTS

Principal Use	Maximum Gross Floor Area
Multi-Family Dwelling	N/A
Healthcare Facility	N/A
Health Club	30,000 s.f.
Restaurant	10,000 s.f.
Garden Center	25,000 s.f.
Personal Services Establishment	5,000 s.f.
Supermarket	75,000 s.f.
Retail Business	35,000 s.f.
Wholesale Business	35,000 s.f.

To read instead:

9.3.8 Dimensional Requirements. Table G lists the dimensional requirements for each single principal use within the NBOD, unless otherwise set forth in Section 9.3.

TABLE G: NBOD DIMENSIONAL REQUIREMENTS

Principal Use	Maximum Gross Floor* Area
Multi-Family Dwelling and Garden Apartment and Elderly Housing and Assisted-Living Residence	325,000 s.f.
2. Retail Business and all other Permitted Principal Uses set forth in Section 9.3.5 other than 1. and 3. in this Table G a. No more than 1 structure b. No more than 1 structure c. No more than 2 structures d. No more than 2 structures e. No more than 5 structures	328,000 s.f. total calculated as follows: 118,000 s.f. 117,000 s.f. 50,000 s.f. 14,000 s.f. 29,000 s.f.
3. Municipal Facility	55,000 s.f.

^{*}The maximum gross floor area for any non-residential single tenant or related entity under common control shall be 85,000 s.f.

Item 7: Amend Section 9.3.9 entitled "District Total," which presently reads:

9.3.9 District Total. The total gross floor area for all principal uses within the NBOD, including nonresidential portions of Mixed Use structures, excluding multifamily dwellings, healthcare facilities, and residential components of mixed use structures, shall not exceed 175,000 s.f.

To read instead:

9.3.9 <u>Non-Residential Total</u>. The total gross floor area for all principal uses within the NBOD, including nonresidential portions of Mixed Use structures, excluding multifamily dwellings, healthcare facilities, and residential components of mixed use structures, shall not exceed the corresponding Maximum Gross Floor Area set forth in Table G.

Item 8: Amend Section 9.3.10 entitled "Housing Cap," which presently reads:

9.3.10 Housing Cap. The maximum number of housing units in the NBOD shall not exceed one hundred (100).

To read instead:

9.3.10 Housing Cap. The maximum number of housing units in the NBOD shall not exceed two hundred fifty (250).

Item 9. Amend Section 9.3.11 entitled "Design Criteria," which presently reads:

- 9.3.11 Design Criteria. In addition to provisions in other sections of this By-law, the criteria listed in this Section 9.3.11 shall apply to any action in the NBOD requiring site plan approval under Section 10.5.
 - 1. Lighting. These standards are intended to: promote a lighting design for all development within the NBOD to ensure public safety and welfare; and protect the night sky from unnecessary ambient light. Any lighting plan submitted as part of a Site Plan Review application, shall include the following:
 - a. All lighting installations shall be designed to achieve no greater than the minimum luminance levels for the activity as recommended in the most recent standards established by the Illuminating Engineering Society of North America (IESNA);
 - b. To prevent glare on off-site locations, all outdoor lighting fixtures shall be full cut-off

(Full cutoff means that no light is emitted above the horizontal plan that intersects the

lowest part of the fixture). Where necessary to prevent light or glare, accessories such as hoods and shields shall be used on lighting fixtures. The source of light shall be so arranged and shielded as to prevent direct glare from the light source into any public street or onto adjacent property;

- c. Security lighting shall be shielded and directed at a downward angle.
- d. As part of any application for Site Plan Review, the applicant shall prepare a

- lighting study showing that the development will meet these standards.
- 2. Utilities Underground. All new, non-municipal utilities (such as electricity, telephone, gas, fiber optic cable) shall be placed underground.
- 3. Setbacks/Buffers. For the construction of any new building, a setback area of one hundred (100) feet shall be provided at the perimeter of any lot or parcel in the NBOD where it abuts the property line of any residentially zoned or occupied properties, except for fences twelve (12) feet in height or less and driveways necessary for access and egress to and from the new building(s); provided, however, that existing structures and existing access roadways and paved areas are exempt from this requirement. Notwithstanding the preceding, existing structures and paved areas shall not be made more non-conforming except for American with Disabilities Act (ADA) compliance. A buffer area of forty-five (45) feet shall be provided where the property line of any land within the NBOD is contiguous to the property line of another lot within an existing residential district. The buffer shall be landscaped and screened by way of fences, walls, and/or plantings (including existing vegetation and trees) to reasonably and substantially shield abutting land from parking and loading areas and buildings. Any such fences or walls may, in the reasonable determination of the Planning Board, provide openings to allow safe pedestrian access and egress between the development sit and the adjacent neighborhood.
- 4. Parking. Required parking shall be four (4) spaces per one thousand (1,000) square feet of gross floor area for retail and supermarket uses. For outdoor sales and display areas of a Garden Center uses, required parking shall be one (1) space per three thousand (3,000) square feet of outside merchandise display area. For all other allowed uses, the parking requirement for such use shall be in accordance with the schedule of parking uses set forth in Section 6.1 of this By-law.

To read instead:

- 9.3.11 Design Criteria. In addition to provisions in other sections of this By-law concerning design criteria to the extent they may be applicable, the criteria listed in this Section 9.3.11 shall apply to any action in the NBOD requiring site plan approval under Section 10.5.
 - 1. Lighting. These standards are intended to: promote a lighting design for all development within the NBOD to ensure public safety and welfare; and protect the night sky from unnecessary ambient light. Any lighting plan submitted as part of a Site Plan Review application, shall include the following:
 - a. All lighting installations shall be designed to achieve no greater than the minimum luminance levels for the activity as recommended in the most recent standards established by the Illuminating Engineering Society of North America (IESNA);

b. To prevent glare on off-site locations, all outdoor lighting fixtures shall be full cut-off

(Full cutoff means that no light is emitted above the horizontal plan that intersects the lowest part of the fixture). Where necessary to prevent light or glare, accessories such as hoods and shields shall be used on lighting fixtures. The source of light shall be low profile lights of twenty-five (25) feet or less and shall be so arranged and shielded as to prevent direct glare from the light source into any public street or onto adjacent property;

- c. Security lighting shall be shielded and directed at a downward angle.
- d. As part of any application for Site Plan Review, the applicant shall prepare a ——lighting-study-showing-that the development-will-meet-these-standards.
- 2. Utilities Underground. All new, non-municipal utilities (such as electricity, telephone, gas, fiber optic cable) shall be placed underground.
- 3. Setbacks/Buffers. For the construction of any new building, front setback area of at least one hundred (100) feet, and rear setback area of at least fifty (50) feet and side setback area of at least sixty (60) feet shall be provided at the perimeter of the NBOD development where it abuts the property line of any residentially zoned properties and twenty (20) feet where it abuts open space zoned properties, except for fences twelve (12) feet in height or less and driveways necessary for access and egress to and from the new building(s); provided, however, that existing structures and existing access roadways and paved areas are exempt from this requirement. Notwithstanding the preceding, existing structures and paved areas shall not be made more non-conforming except for American with Disabilities Act (ADA) compliance. A buffer area of no less than forty (40) feet in the side and rear setback areas and twenty (20) feet in the front setback area shall be provided where the perimeter of the NBOD development is contiguous to the property line of another lot within an existing residential district. The buffer shall be landscaped and screened by way of fences, walls, and/or plantings (including existing vegetation and trees) to reasonably and substantially shield abutting land from parking and loading areas and buildings. Any such fences or walls may, in the reasonable determination of the Planning Board, provide openings to allow safe pedestrian access and egress between the development sit and the adjacent neighborhood.
- 4. Parking. Required parking shall be one (1) spaces per three hundred (300) square feet of gross floor area for office, retail, supermarket and all other allowed uses not set forth herein. For outdoor sales and display areas of a Garden Center uses, required parking shall be one (1) space per three thousand (3,000) square feet of outside merchandise display area. For multi-family and other dwelling units, except Elderly Housing which shall be controlled by section 6.1.5, the required parking shall be 1.75 spaces per unit. For all

restaurant uses, required parking shall be one (1) space per eighty-five (85) square feet of gross floor area. For warehouse uses, required parking shall be one (1) space per twenty-five hundred (2,500) square feet of gross floor area. Relief from these parking standards may be granted by special permit by the Planning Board.

5. Dimensional Requirements. The minimum requirements of the NBOD development shall be an area of 15,000 s.f.; 100 feet of frontage and 100 feet in width; total maximum building coverage 35% of the NBOD development; maximum building height of fifty-two (52) feet for residential uses and forty (40) feet for any other uses within the NBOD; minimum landscape open area of 20% of the NBOD development; and minimum landscape open area of 5% in the front yard of the NBOD development.

Item 10: Amend 9.3.12 entitled "Site Plan Approval," which presently reads:

- 9.3.12 Site Plan Approval. The provisions of Section 10.5, Site Plan Approval, shall apply to uses, buildings and structures permitted by right or by Special Permit in the NBOD.
 - 1. All new development pursuant to the NBOD shall be subject to Site Plan Approval from the Planning Board. The Planning Board may not issue such Approval unless the proposed Site Plan substantially conforms to the Concept Plan approved by the Town Meeting. The Planning Board may permit minor modifications to the proposed development in connection with its site plan review, provided that the Planning Board finds, in its reasonable discretion and in writing, that any such modifications do not materially conflict with the general intent of the Concept Plan as approved.

To read instead:

- 9.3.12 Site Plan Approval. The provisions of Section 10.5, Site Plan Approval, shall apply to uses, buildings and structures permitted by right or by Special Permit in the NBOD.
 - 1. All new development pursuant to the NBOD shall be subject to Site Plan Approval from the Planning Board. The Planning Board may permit modifications to the proposed development in connection with its site plan review, provided that the Planning Board finds, in its reasonable discretion and in writing, that any such modifications do not <u>substantially and</u> materially conflict with the general intent of the Concept Plan as approved.

<u>Item 11:</u> Add a new Section 9.3.14 entitled "Special Permitting Granting Authority" after Section 9.3.13, to read as follows:

9.3.14 Special Permit Granting Authority. The Planning Board shall be the Special Permit Granting Authority for this Section 9.3.

OR PASS ANY VOTE OR TAKE ANY OTHER ACTION RELATIVE THERETO.

SUBMITTED BY:

Acting Town Administrator

APPROPRIATION:

None

FINCOM RECOMMENDATION:

At Town Meeting

PLANNING BOARD RECOMMENDATION:

At Town Meeting

ARTICLE 2: APPROVAL OF 129 PARKER STREET CONCEPT PLAN

TO SEE IF THE TOWN WILL VOTE TO: approve, in accordance with Section 9.3.3 of the Protective Zoning By-Laws, a Concept Plan, together with all supporting material identified in Section 9.3.3, for the development of property located at 129 Parker Street, Maynard, Massachusetts which property is located within the Neighborhood Business Overlay District and also known as Parcel Identification Number 025.0-0000-0152.0 and shown on Assessor's Maps 24, 28 and 29 as NB and on Map 25 as Parcel 152. Said Concept Plan entitled, "Concept Plan B, 129 Parker Street, Maynard, MA.," dated March 26, 2013 and prepared by CI Design, Inc., together with all required supporting materials, is on file and available for review with the Town Clerk and the Planning Office,

OR PASS ANY VOTE OR TAKE ANY OTHER ACTION RELATIVE THERETO.

SUBMITTED BY:

Acting Town Administrator

APPROPRIÁTION:

None

FINCOM RECOMMENDATION:

At Town Meeting

PLANNING BOARD RECOMMENDATION:

At Town Meeting

Given under our hands this 9th	day of April in the year Two Thousand and Thirteen.	
Dawn Capello, Chairman	Brendon Chetwynd, Selectman	
David Gavin, Selectman	Mick Hurrey, Selectman	
James	Buscemi, Selectman	
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A true copy, Attest	Constable of Maynard.	

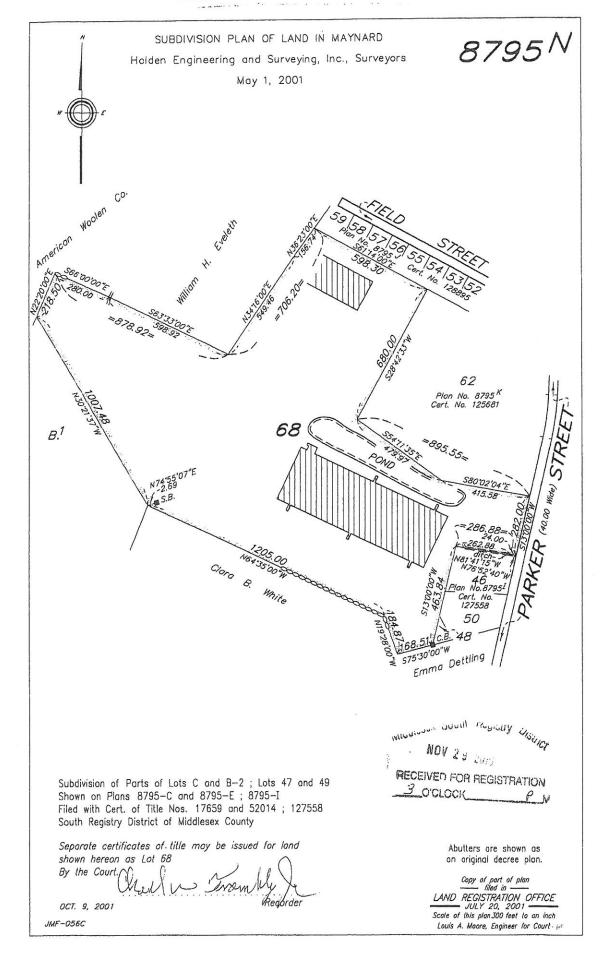
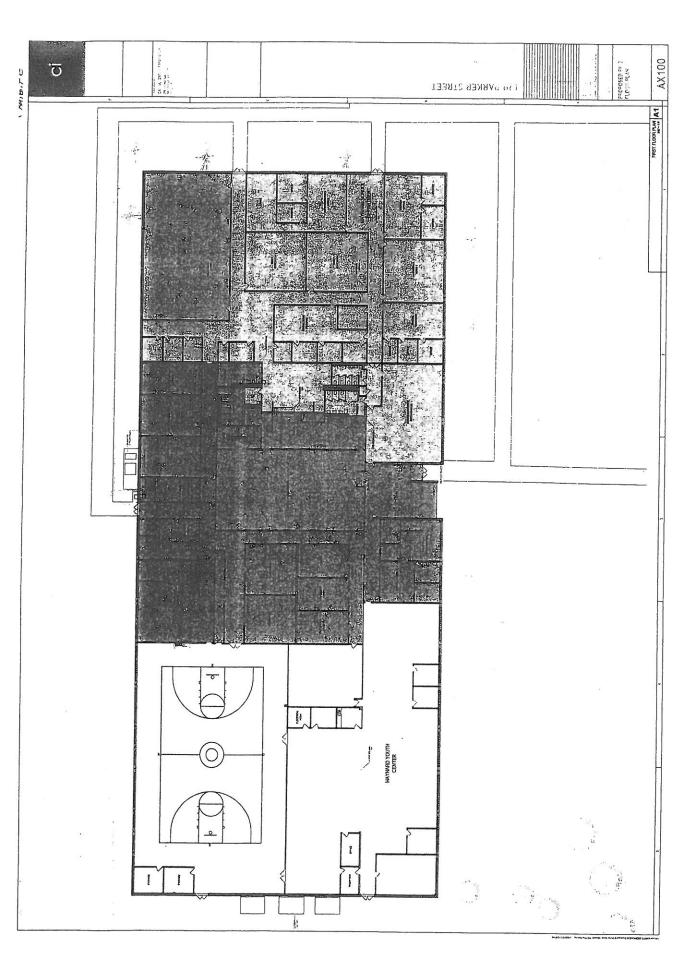


EXHIBIT E



SPECS

PK2 BUILDING

- · Remove existing Chillers located on west side of PK2 and all associated hardware
- · Remove the two (2) internal air conditioning units and all associated hardware
- Roof will be repaired and will have no roof leaks prior to the turnover to the Town. Repair
 roof in accordance with Progressive Roofing, Inc. March 14, 2013 Proposal
- Remove all-carpet from the renovation areas as required to complete said renovationsall areas and perform asbestos remediation as required by law.identified in the attached Covino report listed below. except identified offices (see plan) and rReplace removed flooring with commercial grade Vinyl Coated Tile (VCT) (color to be chosen by the Town) in areas other than gym area, which shall receive rubber flooring.

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- *All remaining carpet shall be professionally cleaned. Remove and replace any private office earpet that is damaged/significantly stained and unable to be cleaned
- Remove all friable and non friable asbestos containing material (ACM) as required by
 law that is disturbed during the renovation workidentified in the Covino Environmental
 Associates, Inc. report attached heretodated and Rremove and properly dispose of the
 ACMidentified material. I in the event any of the renovation work impacts those areas
 which are not friable but which contain asbestos material.

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- · Remove all above ceiling network/computer cabling (white Cat5)
- · Maintain current ADA compliance with all new construction
- All new doors installed are to be fire rated (as required) commercial grade solid core with appropriate matching hardware
- Replace all ceiling tiles and/or ceiling grids throughout where damaged due to water or past construction
- All newly constructed walls should be of ½" or 5/8" gypsum sheetrock (to match existing door frames in building), taped, joint compound and finished smooth with 1 coat of primer and 12 coats of finish paint (color to be chosen by the Town). Walls shall be installed from the floor to ceiling grid.
- · All separated areas shall have walls from floor to decking (i.e. between COA and School Admin)
- · Install electrical outlets per code in all newly constructed interior walls
- In all new offices, install a minimum of two (2) Category 6 networking drops and one (1) RJ11
 telephone drop all terminated to a single networking/phone closet (We do not do any computer or
 telephone wiring in our commercial buildings. That is always done by the user group.)

GYMNASIUM

Construct High School regulation size gymnasium (MIAA Regulation) within existing PK2 building including; rubber floor, basketball court lines with at least two (2) backboards with baskets, and a half court curtain for separation. Actual court size 84' x 50' with at least a 10' unobstructed space on all 4 sides. Minimum size area without storage area 104' x 70'. Purchase and install 5 row portable bleachers for spectator seating.

Kevin Sweet

From: Sent: Glenn Potter [gpotter@covinoinc.com]

To:

Tuesday, May 07, 2013 2:29 PM

Cc:

Wayne Amico; Kevin Sweet

Subject:

Peter von Au; Dan Tyros; Angela Russo Preliminary Asbestos and Lead Paint Results

Attachments:

Lead Results-129 Parker St., Maynard (C274635).pdf; Preliminary Asb Results-129 Parker St,

Maynard (4.19.13).pdf

Attached are the preliminary Asbestos and Lead Paint Testing Results for the 129 Parker Street Building.

Asbestos-containing materials identified in the building include:

- Floor tile and mastic (assumed throughout most areas of the building including below carpets);
- Joint compound associated with gypsum board walls (Assume throughout building at this time; however, additional site investigation and bulk sampling is recommended due to inconsistent results)
- Pipe thread sealant associated with sprinkler line fittings
- Exterior cement panels on upper façade

We have not completed the asbestos removal cost estimate yet; however; a very preliminary order-of-magnitude type budget estimate would be in the \$500,000 range. The big ticket items are the joint compound and the flooring and both of these materials would likely need to be removed as part of a building renovation.

No lead was detected in the paint chip samples collected. There may be other materials containing lead paint that were not tested; however; I don't anticipate significant renovation costs due to lead.

I understand Peter von Au has provided information on the results of our microbial investigation; which has identified a number of moisture issues that will need to be addressed.

We are working on tracking down the PCB sampling results for the window caulk and will forward those results as soon as we receive them.

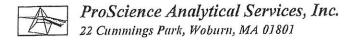
Our inspectors have been very busy in the field and are behind in preparing the written reports. I will see if I can push things along somehow and get this report completed in the next week or so. Feel free to contact me if you have any questions. - Glenn

Glenn N. Potter
Director, Building Sciences Group
email: gpotter@covinoinc.com

Covino Environmental Associates, Inc. 300 Wildwood Avenue Woburn, MA 01801 Phone: 781.933.2555

Fax: 781.932.9402

Website: www.covinoinc.com



Telephone: 781-935-3212 Facsimile: 781-932-4857

Email: chemistry@proscience.net

Laboratory Report

Contact:

Glenn Potter

Client:

Covino Environmental Associates, Inc,

Address:

300 Wildwood Avenue

Woburn, MA 01801

Batch #: C 274635

Date received: 4/23/2013

Date analyzed: 4/29/2013

Date of report: 4/29/2013

Project # 1300553

P.O.# N/A

Project Site: Town Of Maynard - 129 Parker St

Maynard, MA

AIHA-LAP, LLC Lab ID 102754

Lead Analysis In Paint Using SOP Based on SW846-7420/3051

Results in weight percent on an "as received" weight basis

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C 459408	2	N/A	Electrical Room Wall	<rl< td=""><td>0.015</td><td></td></rl<>	0.015	
C 459409	3	N/A	Storage Rm Center Wall	<rl< td=""><td>0.018</td><td></td></rl<>	0.018	
C 459410	4	N/A	Storage Rm West Side /Center Wall	<rl< td=""><td>0.022</td><td></td></rl<>	0.022	
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Simona Peayey, Tech, Manager Chemistry

Aimee Cormier, Lab Director

Page

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of 1

Unless otherwise indicated, all samples were received in acceptable gondition.

All result apply only to the samples as received and are accurate to no more than two significant figures.

Unless otherwise indicated, all the quality control criteria for the method above have been met.

RL-Reporting Limit(%by weight)

Note on units: mg/Kg is the same as ppm by weight.

LEAD CHAIN OF CUSTODY

Covino Environmental Associates, Inc., 300 Wildwood Avenue, Woburn, MA 02180 Telephone (781)933-2555, Fax (781)932-9402

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o.: Client:	Town of Mayned	129 Path
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Covino Environmental Associates, Inc. 300 Wildwood Ave, Woburn, MA Phone 781.932.555 Fax 781.932.9402 Email mail@covinoinc.com

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Covino Environmental Associates, Inc.

Email mail@covinoinc.com Fax 781.932.9402

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Analyst's Signature

Comments

Accept of Reject

Email mail@covinoinc.com

Fax 781,932.9402

Covino Environmental Associates, Inc.

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Covino Environmental Associates, Inc. 300 Wildwood Ave, Woburn, MA Phone 781.933.2555 Fax 781.932.9402 Email mail@covinoinc.com

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Covino Environmental Associates, Inc. 300 Wildwood Ave, Woburn, MA Phone 781.933.2555 Fax 781.932.9402 Email mail@covinoinc.com

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Analyst's Signature

Comments

Accept & Reject

Covino Environmental Associates, Inc. 300 Wildwood Ave, Woburn, MA Phone 781.933.2555 Fax 781.932.9402 Email mail@covinoinc.com

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300 Wildwood Ave, Woburn, MA Phone 781.933.2555 Fax 781.932.9402 Email mail@covinoinc.com

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Covino Environmental Associates, Inc. 300 Wildwood Ave, Woburn, MA Phone 781.933.2555 Fax 781.932.9402

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Analyst's Signature

Comments

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H-1-4

Asbestos Bulk Chain of Custody

Email mail@covinoinc.com Fax 781.932.9402 Covino Environmental Associates, Inc. 300 Wildwood Ave, Wobum, MA Phone 781.933.2555

Date(s) Analyzed: 4-30-13 Temp: 24-1 Non Fibrous 2 standard (5.day) Other 4-23-13 % Non Ashestos Present Turnaround (circle) same day 24-hr Synthetic Ilair Date: Cellulose Phone Fibrous Glass Email Fax in < U + - Z %Asbestos Fiber ∢ZH=O F K H Z O 0 × 0 0 -AZCa and Location: My 141 Elber Ref. = Jones of Phayagran 0 - 4 9 -Optical Propérties Date: 4/22 has Received by: Analyst's Signature - v o Stereoscopic MATERIAL: My Diw Tho the TU Client: % 4 % D 0 0 -2. Fasticholys Averages w/shilps, 1 LOCATION: Certa Rosan

1 MATERIAL: 1465 HE WAS TREATE MATERIAL: 12 X12 Green floor the Extens 1 Gt hour MATERIAL: TE FLOS HE Certa hour DO NOT WRITE IN SHADED AREAS DESCRIPTION 13005 Accept & Reject Comments MATERIAL: MATERIAL: 378346 | LOCATION: LOCATION: 378344 | 1.0CATION: LOCATION: LOCATION: Samples Collected by: Covino Project No. Date(s) Collected: Relinquished by: 1278345 378343 27.4 378348 F78347 223 23 A なら Sample ID 812 License # Field ID# Lab 1D#

Email mail@covinoinc.com Fax 781.932.9402 Covino Environmental Associates, Inc. 300 Wildwood Ave, Woburn, MA Phone 781.933.2555

0 Date(s) Analyzed: 4.30-13 Temp: 2416 Non Fibrous SS \mathcal{S} standard (5 day) Other Turnaround (circle) same day 24-lir % Non Asbestos Prescut Holle Synthetic Chil \emptyset Hair Date: 1/2 7 R 3 1/2 Cellulose 1/14 Contact 450 30 30 Phone Email 2 Fax %Asbestos Fiber **VZHEO** L K ii Z C 0200-NON Project Name 129 Parter 5 to and Location: Janos + May aggrand Optical Properties Date: 4/10/3 Received by: Zor de MATERIAL: Interior Windows Wild BON Hofford Stereoscopic 32/22 50 5-0 Client: 24 50 I W. 321 Next to Asin Estana LOCATION: Next to sof-suess LOCATION: West Lost faces MATERIAL: Che dus w/shilpin gerage hell MATERIAL: Roch-3 metria) MATERIAL: 244 6 1/3 - 16 Lein Erbine Aus Estara DO NOT WRITE IN SHADED AREAS MATERIAL: 2xy Girs fle 264 MATERIAL: Roci Fig materil DESCRIPTION 130055 Accept J. Reject Comments LOCATION: LOCATION: LOCATION: LOCATION: Samples Collected by: Covino Project No. Date(s) Collected: Relinquished by: 378351 250 378353 378350 378352 1328354 223 378349 Sample 1D License # Field ID# Lab ID#

Analyst's Signature

Covino Environmental Associates, Inc.

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Date(s) Analyzed: 4-30.13 Temp: A4.11 00) 60 Non Fibrous Turnaround (circle) same day 24-hr standard (5 day) Other Colora Meth 4-23-13 % Non Asbestos Present Synthetic Rev. 3/28:08 Hair Date: Contact Phone £50 Email 7 Fax E %Asbestos Fiber **∀**Z | ∃ 0 $\cup \approx \circ \cup$ NORA SKREC and Location: May now Hiber Rof. Just of May aggreed Optical Propérties 4 holy Received by: Analyst's Signature HOHOM 23 B MATERIAL: BLLS LUSSAGE CILL GNIN 75357 LOCATION: Next to Minertonice 50 f Visual Client: 2 d s D Date: MATERIAL: Lyter 5-6, 13-6/4 Nest to Min Charle 273 MATERIAL: To for the 12 5.14 DO NOT WRITE IN SHADED AREAS DESCRIPTION 130053 Comments 378387 LOCATIONS LOCATION: LOCATION: MATERIAL: MATERIAL: LOCATION: LOCATION: MATERIAL: LOCATION: Samples Collected by: Covino Project No._ Accept N Reject Date(s) Collected: Relinquished by: 378.868 378355 789 Sample 1D License # Field ID# Lab ID#